

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FELICIA BYERS,)	
)	
Plaintiff,)	C.A. No.: 05-711 (GMS)
)	
v.)	
)	Trial By Jury Demanded
HOUSEHOLD FINANCE CORPORATION,)	
HOUSEHOLD INTERNATIONAL, INC., AND)	
OR HOUSEHOLD PAYROLL SERVICES, INC.,)	
Delaware Corporations,)	
)	
Defendant,)	

JOINT STATUS REPORT

The parties in the above-captioned matter after consulting with each other report as follows:

1. **Jurisdiction and Service:** The Court has jurisdiction in this matter under the provisions of 42 U.S.C. §2000e, et seq., and 42 U.S.C. §2000e-5(f)(3) and 28 U.S.C. §§1331 and 1334. Service has been completed and the defendant has been served.

2. **Substance of the Action:**

Plaintiff's Statement: The plaintiff contends that while she was employed by the defendant, her immediate supervisor, and office manager both verbally and physically sexually harassed and abused her.

Defendant's Statement:

3. **Identification of Issues:** The remaining factual issues that need to be identified, are the nature and extent of the harassment upon the plaintiff, and the validity of the defendant's affirmative defense based upon Ellerith and Faragher. In addition, the nature and extent of the plaintiff's injuries as a result of the sexual harassment and abuse.

4. **Narrowing of Issues:** It is unsure at this time, until initial discovery what issues can be narrowed by agreement or by early dispositive motions.

5. **Relief:** The plaintiff seeks both liquidated damages in the amount of lost wages and liquidated damages for pain, suffering and mental anguish. The lost wages claim is based upon two and a half years of lost wages at approximately \$50,000 per year, for the period of time that she was disabled by her mental injuries. The issue of future damages will depend on whether or not, and the extent, that she can mitigate her future lost wages. An issue will arise as to whether or not the defendant is entitled to take a credit for worker's compensation benefits that the plaintiff received.

6. **Amendment of Pleadings:** None is expected.

7. **Joinder of Parties:** None is expected.

8. **Discovery:** The parties expect to take written discovery in the form of Interrogatories, Request for Production, and/or perhaps Request for Admissions. The defendant will take, at an early stage, the plaintiff's deposition. The number and extent of deposition discovery taken by the plaintiff will depend on the identification of individuals and issues in response to written discovery.

9. **Estimated Trial Length:** Four (4) days. It is not expected that the issues are subject to bifurcation.

10. **Jury Trial:** Yes.

11. **Settlement:** The parties have discussed settlement in the abstract. Given the nature and extent of the plaintiff's damage claims, a settlement prior to the deposition of the plaintiff is not probable. Both parties would request that this matter be referred to the Magistrate Judge for Mediation.

12. **Other Matters:** None at this time.

13. **State of Counsel:** The parties have confirmed both verbally, and have exchanged copies of proposed status reports which will be resolved with this submission.

ABER, GOLDLUST, BAKER & OVER

RICHARDS, LAYTON & FINGER

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SO ORDERED, this _____ day of _____, 2006.

The Honorable Gregory M. Sleet

